



**PLANNING COMMISSION HEARING
MARCH 28, 2017**

**STAFF REPORT
MAJOR SUBDIVISION\DESIGN REVIEW #16-10 "THE GROVE"
APPLICANT: MANDARICH DEVELOPMENT**

REQUEST

The applicant is proposing to subdivide a 9.98 acre parcel into 26 lots southwest of the intersection of Humphrey Road and No Name Lane in the Town of Loomis. The land is designated Residential Medium Density in the Loomis General Plan and zoned RS-10a Single-Family Residential 10,000 average minimum.

RECOMMENDATION

The Planning Commission approve *Resolution #17-03 (Attachment 1)* approving Major Subdivision #16-10 "The Grove" into 22 residential lots, along four additional lots reserved for a park, entryway landscaping, and a required storm drainage retention basin, subject to the approved Design Review and adoption of a Mitigated Negative Declaration as per the California Environmental Quality Act (CEQA) and the recommended findings and conditions of approval.

PROJECT DESCRIPTION

Location: Southwest of the intersection of Humphrey Road and No Name Lane within the Town of Loomis. APN: 044-021-008
Size: 9.98 acres

General Plan, Zoning, and Existing Land Uses

	GENERAL PLAN	ZONING	CURRENT LAND USE
ON SITE	RESIDENTIAL MEDIUM DENSITY*	RS-10A	VACANT
NORTH	PUBLIC-QUASI PUBLIC	PI	H. CLARK POWERS SCHOOL
EAST	RESIDENTIAL MEDIUM DENSITY	RS-10	SINGLE FAMILY RESIDENTIAL
SOUTH	RESIDENTIAL MEDIUM DENSITY	RS-10	SINGLE FAMILY RESIDENTIAL
WEST	RESIDENTIAL AGRICULTURAL	RA	SINGLE FAMILY RESIDENTIAL

* Specific Policy Area #6

Current Conditions:

The project site while currently vacant, had been historically a pear orchard with limited grazing until 1961. The remaining structures were removed in 2003. The area is relatively flat with a wetland in the northwest corner along with some seasonal wetland swales along the southern and northern portions of the property. There are approximately 20 trees, primarily near the east

central portion of the site. The property drainage is primarily to the southwest and northwest corners of the land. The site is bordered by an existing residential subdivision to the south, and across Humphrey Road to the east. H. Clark Powers Elementary School is to the north of No Name Lane, a private gravel road. To the west are several large lot residences.

Proposed Project:

As shown on *The Grove Tentative Subdivision Map Sheet 1 of 4 (Attachment 2)*, the site will consist of 26 lots accessed from Humphrey Road via a circular interior road "Grove Circle." Six of the lots, including the park will be clustered in the center, with the remaining lots around Grove Circle backing to the sides of the project site. The proposed 26 lots will be as follows:

- 22 single family residential lots with a minimum lot of size of 11,871 sf, a maximum lot size of 15,066 sf, an average lot size of 12,444 sf, and an average gross density of 2.2 dwelling units per acre;
- Two landscaping lots (Lots A and B), 5,720 sf and 6,896 sf, respectively;
- A 12,171 sf park lot located within the central portion of the site (Lot C); and
- A 22,206 sf storm water detention basin lot (Lot D).

The developer is proposing three styles of houses, Cottage, French Country, and Craftsman, each having several variations, with some having a second floor designed so as not to directly overlook neighboring backyards. Landscaping will include street trees and water wise landscaping along the front of each home, along with additional trees and landscaping along the Humphrey Road, and grass along No Name Lane frontages, and Lots A and B "Entry Way", Lot C "Pocket Park", and Lot D "Detention Basin". Wooden fencing is proposed along the west and southern perimeters, with a decorative wooden fence along the Humphrey Road and No Name Lane perimeters. (These are discussed in more depth under Design Review below.)

PROJECT ISSUES

General Plan\Zoning Consistency

The project site is designated Residential Medium Density in the Loomis General Plan, which allows single family homes of 2 to 6 dwelling units per acre. This site is specifically addressed in Policy G.6 of the Community Development – Land Use Element of the General that states:

Residential Medium-Density site on the west side of Humphrey Road immediately south of the H. Powers Clark School. The allowable density of two to six dwelling units per acre shall be distributed on the site with lower density on the edges of the parcel. An application for the proposed subdivision of the property shall demonstrate special attention to potential flooding and drainage issues, and any proposed project shall be designed to create no greater volume of storm water runoff [i.e rate] to downstream properties after development.

The proposed 22 residential lots average approximately 12,000 sf each for an average density of 2.2 units per acre, near the lower end of the allowed density range of 2 to 6 units per acre. This has resulted in larger lots along the periphery and smaller lots clustered in the center,

consistent with the intent of Policy G.6.

The proposed stormwater detention system would reduce existing drainage to No Name Lane from the existing 2.7 cubic feet\second (cfs) for a ten year storm event, and 6.87 cfs for a 100-year storm event to 2.0 cfs for both the 10- and 100-year storm events, reducing stormwater to downstream properties, consistent with Policy G.6. This is further elaborated below under the Hydrology\Drainage Issue discussion.

The project is zoned Single Family Residential 10,000 sf minimum (RS-10a) which requires a minimum net lot size of 10,000 sf. The letter "a" appended to it, allows lots less than 10,000 sf as long as the overall lot sizes average more than 10,000 sf. The proposed residential lots average approximately 12,000 sf, allowing the creation of the four smaller non-residential lots reserved for public uses, consistent with the RS-10a zoning.

The proposed project is consistent with the other policies of the Land Use Element, and the regulations of the Loomis Zoning Ordinance.

Biology

Approximately 1/3 of an acre of wetlands are proposed to be filled in due to the project. **Section 13.58 Wetland Protection and Restoration** of the Loomis Zoning Ordinance requires new development to mitigate loss of wetland to achieve a "no net loss" through avoidance, minimization, compensation, and/ or replacement. The applicant propose to either purchase off-site credits at an approved mitigation bank or provide in-lieu payment to the Army Corps of Engineers In-Lieu Fee Program. No special-status species requiring protection of them or their habitat have been documented on the site or within one mile of the site.

The majority of trees are located along the east central portion of the project site. The tentative map and landscape plans have been designed to preserve the majority of the protected trees along with several other outstanding trees by placing them within dedicated open space and park lots. Those that will be removed within the site are subject to **Section 13.54 Tree Preservation and Protection** of the Loomis Zoning Ordinance. This requires the applicant to acquire a Tree Removal Permit prior to any on site grading or construction and provide mitigation and\or replacement as part of their improvement plans.

Cultural Resources

There are no known Native American archaeological resources or other cultural resources at or near the project site. However ground-disturbing activities have the potential to uncover previously unknown cultural artifacts. Should any cultural resources be discovered, work will be halted, and qualified archaeologists and local tribal representatives be notified.

Drainage

While the site generally drains toward the west, the existing drainage characteristics of the site include three watershed areas which are identified and described in *the Preliminary Storm*

Drainage Report prepared by Meredith Engineering (Available at the Loomis Town Website or Planning Department)

Shed A is approximately 4.17 acres and collects drainage and directs it to a small man-made pond at the northwest corner of the project site. The pond has an existing 12-inch pipe overflow structure that conveys drainage from the pond at the northwest corner of the site to an existing manhole and then across No Name Lane to a roadside ditch, flowing west to Antelope Creek.

Shed B is approximately 4.72 acres and collects drainage and directs it southwest overland through the backyards of the adjacent subdivision.

Shed C is approximately 1.11 acres and collects drainage and directs it to the southeast corner in a roadside ditch along the west side of Humphrey Road. *Existing and Proposed Drainage Sheds (Attachment 3)*

The proposed drainage plan would convey the stormwater from Shed A , B, and C into a single storm drain system located around Grove Circle and discharge it into the reconfigured stormwater detention basin located in the northwest corner of the project site. This will result in an overall outflow reduction to the post-development flow for both the 10-year and 100-year storm events to less than existing conditions. See Chart Below:

LOCATION	EXISTING CONDITIONS (PRE-DEVELOPMENT)		POST-DEVELOPMENT CONDITIONS	
	10-YEAR STORM EVENT	100-YEAR STORM EVENT	10-YEAR STORM EVENT	100-YEAR STORM EVENT
Shed A	2.7 cfs	6.87 cfs	2.0 cfs	2.0 cfs
Shed B	4.47 cfs	11.08 cfs	0 cfs	0 cfs
Shed C	2.05 cfs	2.61 cfs	0 cfs	0 cfs

SOURCE: MEREDITH ENGINEERING, 2016

Under 10-year storm conditions, the stormwater would flow to Grove Circle, where it will be collected, held, and conveyed by 12-inch storm drain pipes to the stormwater detention basin. During a 100-year storm event, if the stormwater would exceed the pipe capacity, the water would flow into Grove Circle, and directed overland to the stormwater detention basin. Under both 10 and 100 year storm conditions, the stormwater detention basin would release stormwaters at a maximum discharge rate of 2.0 cfs, regulated by the drainage outlet.

Currently Drainage Area B flows to the southwest corner and through the residential properties south of the project site. In order that the drainage from this area will flow to the northwest detention basin, grading will need to place additional fill in this area. Retention walls will need to be constructed to retain the fill on the project site. The retaining walls proposed by the project are only proposed between the project site and parcels that are located directly west or south of the project. There are three parcels that are adjacent to the western border of the project and ten parcels adjacent to the southern border of the

project. The majority of the parcels adjacent to the project site will have no retaining wall or a retaining wall of 1.5 feet or less. The southernmost parcel adjacent the project site to the west would be bordered by a retaining wall, with the wall going from a height of zero to 7.5 feet, with the highest portion limited to the southernmost extent of the neighboring parcel. Any retaining wall bordering the remaining parcels along the southern boundary will be approximately 3.5 feet or less. The three easternmost parcels along the project's southern border will have an approximately 3.5 foot retaining wall. The three parcels centrally located along the projects southern border will have a retaining wall of approximately 1 to 1.5 feet high. The three easternmost parcels should not need a retaining wall depending on final construction grading.

The reduction of the existing off-site water flows through the implementation of the proposed stormwater detention system is consistent with General Plan Special Policy G.6 which states:

An application for the proposed subdivision of the property shall demonstrate special attention to potential flooding and drainage issues, and any proposed project shall be designed to create no greater volume of storm water runoff to downstream properties after development.

Hazardous Materials\Pesticides

The project site has been formerly a pear orchard that was removed in 1961. Subsequent investigation in 2003 identified elevated levels of pesticide contamination that would need to be removed prior to residential development. The developer working with the California State Department of Toxic Substance Control (DTSC) prepared a *Removal Action Work Plan (RAW)* August 2016 (Available at the Loomis Town Website or Planning Department) to address the removal and remediation of the contaminated soils. Prior to implementation of the RAW, it must be approved by DTSC who provides oversight of hazardous contamination that may affect public health, including authorization and supervision of the action.

Removal will be performed as per the RAW by a California Contractor licensed for this type of work, under the supervision of a professional geologist or engineer, and at the cost of the developer. The RAW includes measures to ensure that contaminated soils are contained during excavation and removal, and are properly disposed at licensed facilities. Once the remediation is satisfactorily completed, and the DTSC has confirmed the results, and certified the project site is safe will residential development be allowed. Only then will the Town authorize the actual grading and construction of the project.

Transportation\Traffic

Each of the 22 proposed residences will result in approximately an additional 9.52 vehicle trips a day or approximately a daily total of 210 additional vehicle trips on Humphrey Road, based on trip generation rates of the Institute of Traffic Engineers (ITE) *Trip Generation Manual* Traffic conditions are evaluated by Level of Service (LOS) ranging from "A" for excellent traffic flows to "F" being the worst impeded condition. The newly adopted Circulation Element of the Loomis General Plan has established that a LOS level of "C" be the minimum allowed on roadways such as Humphrey Road. Currently Humphrey Road has a LOS of "A" which will remain unchanged

by the proposed build-out of the subdivision.

There will be a temporary increase of vehicle trips during construction, especially during the remediation of the pesticide contaminated soil from the site. Approximately 4,600 cubic yards of material will be removed requiring approximately 200 truckloads. The excavation is expected to take about two weeks (i.e., 10 working days) resulting in approximately 40 truck trips each day, 20 trucks coming in empty, and 20 more trips leaving the site once filled. Over an eight hour work day, there would be about five trucks per hour entering or leaving the site. *Traffic Impact Assessment Kd Anderson 2016 (Loomis Town Website or Planning Department.)*

The projected truck route will not appreciably affect traffic on Humphrey Road. However Humphrey Road is a student route to the nearby H. Clarke Powers Elementary School. Therefore condition of approval will to halt trucks entering or leaving the project site, while children are arriving in the morning or leaving in the afternoon.

The project will have no access unto No Name Lane which is a private road. Therefore there is no nexus requiring mitigation or dedication of right of way to it. However recognizing that No Name Lane may need to be widened at a future date, the developer is voluntarily dedicating an Right of Way (ROW) along the south side of No Name Lane to the Town for possible future road needs. Until such time that No Name Lane requires it, the maintenance of the ROW will be included with the subdivisions landscape maintenance district..

Noise

Construction of the proposed project would temporarily increase noise levels due to grading, site preparation, and construction. Much of the truck noise will be due to the remediation and removal of the containments on the site, resulting in temporary average increase of 1 dBA along Humphrey Road well within the standards required by **Section 13.30.070 Noise Standards** of the Loomis Zoning Ordinance. This section also limits construction activities to only 7:00 am to 7:00 pm M-F, 8:00 am to 7:00 pm Saturday, and no construction activities on Sunday and National Holidays.

Post construction noise will be typical of most suburbs from vehicle traffic, children playing, and dogs barking. The proposed project will not increase ambient noise levels in excess of the standards of General Plan or the Zoning Code.

South Property Line

Surveys have shown that there is a 3.5 to 4 foot discrepancy between the project's southern property line and that of the parcels to the south whose titles show their property extending to the existing fence line. (Attachment 4) The developer rather than disputing their respective titles has Quit-Claimed the overlapped area to the adjacent southern property owners. Therefore the existing fence line is now the southernmost boundary of the project.

Utilities\Public Services

Both the Placer County Water Agency (PCWA) and the South Placer Municipal Utility District (SPMUD) have had the opportunity to review the project during the preliminary application review, and review of the proposed IS\MND. Both agencies have lines within Humphrey Road and have indicated they have capacity to serve the site subject to the developers obtaining Will Serve Letters and compliance with their standard conditions and regulations.

DESIGN REVIEW

Design Review is required for all new subdivisions of five or more parcels as per **Section 13.62.040 Design Review** to ensure proposed development maintains and enhances ***“the small-town, historic, and rural character of the community.”***

In it review and approval the Planning Commission is required to evaluate and make finding on seven criteria as per Section 13.62.040 E Project Review:

- 1. Complies with this section. (i.e Design Review)*
- 2. Provides architectural design, building massing and scale appropriate to and compatible with site surroundings and the community*
- 3. Provides attractive and desirable site layout and design, including, but not limited to, building arrangement, exterior appearance and setbacks, drainage, fences and wall, grading, landscaping, lighting, signs, etc.*
- 4. Provides efficient and safe public access, circulation and parking*
- 5. Provides appropriate open space and landscaping, including the use of water efficient landscaping*
- 6. Is consistent with the Loomis General Plan Special*
- 7. Complies with any applicable design guidelines and/or adopted design review policies.*

The lots on the perimeter of the site vary in size from 11,871 sf to 15,066 sf, with the largest lots occurring at the edges of the site. This is compatible with the surrounding residential parcels which support lower density residential lots that occur to the west of the project site and medium density residential lots occur to the south and east of the project site. The configuration of lots on the proposed project site allows for a relatively gradual shift in lot sizes and provides for a visual transition between urban and rural land uses.

The *Preliminary Landscaping Plan Sheets L1 – L4 (Attachment 5)* provides for landscaping along Humphrey Road, including a row of interior live oaks along the project fence line, and includes two landscaped entry lots to transition from Humphrey Road to Grove Circle. The project would include landscaping and tree planting in the front setbacks of each lot and would fully landscape the pocket park, including trees around the north, west, and southern perimeters of the park, as well as the detention basin to be landscaped with a mix of trees and ground cover.

As previously discussed under Drainage, the project site will be graded stormwater will flow to the detention basin at the northwest corner of the site. Retention walls will be constructed to retain the additional fill mostly along the southwest corner of the project. It may be as high as 7.5 feet with its top at the finished grade of the project site.

Generally walls are not allowed to exceed 6 feet, except as approved by the Planning Commission for public safety as per **Section 13.30.040 A2 Fences**. The combination of the wall and fill will prevent further storm water draining unto the adjacent lots to the south and hold back the fill to accomplish it.

Fencing would be generally be six-feet tall, measured from the lowest ground level, except along the southern and southwestern boundary of the site, where the six-foot wooden fence will be above the retaining wall, with total wall and fence heights ranging from 6 to 13.5 feet. Fence heights located along side and rear setbacks are allowed to exceed 6 feet in height, subject to Design Review approval as noted above.

Outdoor lighting would be installed throughout the project site. **Section 13.30.080** of the Zoning Code requires outdoor lighting to be shielded or recessed so that the light source is not visible from off the site and so that glare and reflections are confined to the maximum extent feasible within the boundaries of the site. Further, **Section 13.30.080(b)** requires lighting fixtures to be directed downward and away from adjoining properties and public rights-of-way and requires that off-site illumination does not exceed one foot-candle.

Development of the proposed project would not substantially degrade the existing visual character or the quality of the site and its surroundings. The project site would be converted to residential uses that are similar in character to the uses to the south and east of the site. Existing vegetation and fencing help shield the project site from the surrounding properties. The proposed landscaping and fencing would visually buffer the developed residential uses from nearby public vantage points, including Humphrey Road.

The developer is proposing three styles of houses, *Cottage*, *French Country*, and *Craftsman*, each having several variations, with some having a second floor designed so as not to directly overlook neighboring backyards as shown in *Proposed Housing Elevations (Attachment 6)*. The homes have an average footprint of approximately 2,500 sf, with an additional 500 sf for those models with a 2nd floor option. As the average lot size is approximately 12,000 sf, the home occupies around 20% of the lot well within the requirements of the zoning ordinance maximum lot coverage of 30%. All of the designs are traditional styles compatible with the rural suburban nature of Loomis. All also include to one degree or another rock fascia consistent with and enhancing the rock outcropping often found in Loomis.

CITIZEN COMMENTS AND CONCERNS

As noted below under CEQA, several letters and a petition were received from the public in response to the Notice of Intent to Adopt a Negative Declaration. These comments were responded to in the *Grove Response to Comments (Attachment 9)*. Those comments generally concerned drainage along No Name Lane, walls and fencing along No Name Lane, the southern retaining wall, and overall design and lighting of the project, as summarized below.

Drainage along No Name Lane a private road has been an ongoing problem for a number of years. General Plan Policy G.6 specifically addressed that development of this site would be required not to discharge water in excess of existing conditions downstream. Many comments have expressed concern the project will discharge additional water. The drainage plans prepared by a qualified engineer, and peer reviewed as part of the CEQA review propose a drainage system that upon completion will actually reduce off-site water flows. The project will not be otherwise impact No Name Lane. The reduced water flow will continue as before once it leaves the site. The Placer County Stormwater Management Manual states, *"the downstream property owner(s) is obligated to accept and make provision for those waters which are the natural flow from the land above (i.e. 2.7 to 6.7 cfs) and allow for a reasonable increase in drainage runoff by paving or construction of other impervious surfaces."* The project will not have an "increase in drainage runoff" but upon completion reduce the peak flows to 2.0 cfs.

In response to concerns about the proposed wall along No Name Lane and Humphrey Road, the developer is proposing to instead construct a six foot high wooden fence similar to that for Legacy Lane and more in keeping with the nature of the area. The entry way provides a focus and directs the view of passerbys to the retained trees and park space provided near the project's entry and establish a sense of place and community.

The retaining wall is only along a small portion of the southwestern perimeter of the project. Three lots in the adjacent subdivision to the south will have retaining walls of up to 3.5 feet in height. These three lots are APN 044-180-001; 044-180-002; and 044-180-003. The rest of the adjoining parcels to the south will have retaining walls of 1.5 feet in height or less, or no wall at all. One lot to the west, APN 044-021-009 may have a retaining wall as high as 7.5 feet at the southernmost point, depending on final construction documents. The walls are necessary due to grading that will allow storm water to drain to the north, and no longer to the south. A retaining wall is a necessary safety measure to prevent the fill from eroding unto the adjacent parcels to the south and west. The wall while noticeable to the adjacent parcels will only reach to the new grade level of the project site. From the project site side, the six foot fence will appear level along the south and west property lines sitting either on the existing grade or retaining wall.

The proposed design of the homes and associated landscaping is in keeping with design of the existing adjacent residential development. Lighting both streetlights and housing are required

to be shielded and directed so as not to spill off site.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to CEQA Guidelines Section 15070 Decision to Prepare a Negative or Mitigated Negative Declaration the Town of Loomis prepared an *Initial Study Mitigated Negative Declaration (IS/MND)*. (Attachment 7) 37 mitigation measures were identified to reduce potential impacts to a level of less than significant in the *IS/MND Mitigation Monitoring Report Plan (MMRP)* (Attachment 8) and included as required Conditions of Approval for this project.

A Notice of Intent to Adopt a Negative Declaration was posted and mailed to adjacent property owners during circulation of the IS\MND during the mandatory 30 day public review and comment beginning on December 27, 2016 and concluding January 27, 2017.

While a Negative Declaration is not obligated to Respond To Comments, the Town has elected to do so, to provide a comprehensive document that responds to issues, provides clarification, and addresses concerns of review agencies and the public.

Eleven comments were received from public agencies and the public, as to the proposed IS/MND. These letters have been responded to in the *Grove Response To Comments* (Attachment 9). Six comments were from public agencies, three of which were of a routine nature essentially reminding the Town and applicant to comply with their or other regulations and have been included in the conditions of approval as necessary. (CCRWQCB, SCH, Loomis Fire District, Caltrans) The California Department of Fish and Wildlife (CDFW) had more extensive comments. Staff has discussed and satisfactorily resolved the issues raised by CDFW as shown in the response to comments of the Mitigated Negative Declaration. The United Auburn Indian Community (UAIC) responded they would like further consultation and an onsite monitor. This is addressed as a condition of approval.

Five of the eleven comments were received from the public, and addressed, in the Response to Comments summarized in Citizen Comments and Concerns. All of the comment letters, and the response to them are included as part of the project's Final Mitigated Negative Declaration.

A Notice of Determination will be filed with the Placer County Clerk upon approval of the project.

RECOMMENDATION

The Planning Commission approve *Resolution #17-03* (Attachment 1) approving Major Subdivision #16-10 "The Grove" into 22 residential lots, along four additional lots reserved for a park, entryway landscaping, and a required storm drainage retention basin subject to the approved Design Review and adoption of a Mitigated Negative Declaration as per the California Environmental Quality Act (CEQA) and the recommended findings and conditions of approval.

ATTACHMENTS

1. Draft Resolution #17-03
 - Exhibit A: Recommended Findings
 - Exhibit B: Recommended Conditions of Approval
2. Grove Tentative Map #1 of 4
3. Existing and Proposed Drainage Map
4. Southern Property Line Fence Encroachment Detail A
5. Preliminary Landscaping Plan Sheets L1 – L4
6. Proposed Housing Examples 1, 1x, 2, 2x
7. Grove Final Initial Study/Mitigated Negative Declaration (IS/MND)
8. Grove Monitoring Mitigation Reporting Plan (MMRP)
9. Comment Letters and Response to Comments
10. Application

**ITEMS AVAILABLE ON THE TOWN OF LOOMIS WEBSITE WWW.LOOMIS.CA.GOV
OR AT THE LOOMIS PLANNING DEPARTMENT MONDAY – FRIDAY 8:00 AM TO 5:00 PM**

- 404 Application 08-10-2016 Draft PCN
- 4007 01 Remedial Action Workplan
- Arborist Report, Foothill Associates, July 25, 2016
- GeoTech Reports Wallace-Kuhl, Sept. 9, 2016
- Grove – Army Corps Jurisdictional Determination
- Grove Landscaping Plans
- Grove Storm Drainage Plans
- Grove Traffic Report
- The Grove Noise Report October 2016
- The Grove Vesting Tentative Map March 14, 2017